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GOVERNMENT OF PUNJAB

DEPARTMENT OF LABOUR

NOTIFICATION

The 31st October, 2019

No.06/03/2013-4L/1605789.- In supersession of notification of the Government of Punjab, Department of Labour No.21/46/2013-4Labour/837 dated 06.12.2013 and further to simplify the Self Certification Scheme for Industries and Employers under various Central and State laws, the following changes are made:

- (1) Self Certification Scheme would be mandatory hereinafter for Startups, MSME, IT/ITES, Life Sciences and Biotechnology and other such categories except for certain categories of industries based on risk profiling.
- (2) Requirement of furnishing bank guarantee as provided under clause 6 of the earlier notification dated 06-12-2013 has been omitted.

The details of this scheme are as under:-

1. **INTRODUCTION:-** This Scheme has been introduced to streamline the implementation of various Labour Laws in the State of Punjab and also to facilitate the employers and entrepreneurs. The Scheme will be applicable for Startups, MSME, IT/ITES, Life Sciences and Biotechnology and other such categories.
2. **OBJECTIVE:-** The objective of this Scheme is to curtail visits of Government officials for inspection and to reduce visits of entrepreneurs to Government Offices, by automatising approval and regulatory compliances.
3. **PROCEDURE:-** This Scheme shall be mandatory for Startups, MSME, IT/ITES, Life Sciences and Biotechnology and optional for others. Any employer/entrepreneur can apply for this Scheme online to the Labour Commissioner in the prescribed Performa at Annexure-I and Self declaration as prescribed in Annexure-II. Any discrepancy in the application and self declaration shall be communicated to the applicant within 30 days from the receipt of the application in the office of Labour Commissioner, Punjab. In case no discrepancy is so communicated, the applicant shall be deemed to have been enrolled under the Scheme.

4. **FILING OF RETURNS:-** The concerned employer/entrepreneur shall file the Self-Certification Return in the prescribed Form No.21 along with the required documents for factory registered under the Factories Act and for other establishments in Annexure - III. The return can be filed online during the prescribed period.
5. **VALIDITY OF UNDERTAKING:-** Factual information given in the prescribed Return shall be the same as on the date of filing the Return. The undertaking to abide by all the laws as applicable to the employer/entrepreneur shall be valid for the period for which he remains registered under this Scheme.
6. **VALIDITY OF SCHEME:-** Once opted for the Scheme, the same shall be valid for a period of five years. The employer can at any time opt out of the Scheme by giving intimation to the Labour Commission in writing. If during inspection, an employer is found violating any of the labour laws mentioned in Para 8 of the Scheme then apart from taking legal action under the relevant labour laws, his registration under this Scheme will stand cancelled. In case the employer/ entrepreneur successfully completes five years under the Scheme and he does not want to remain in the Scheme or he withdraws from the Scheme prematurely, he will have an option to continue in the Scheme for another five years.
7. **LABOUR LAWS FOR WHICH THE SCHEME IS VALID:-** This Scheme shall be valid for following Acts and Rules made there under :-
 - i Factories Act, 1948.
 - ii Punjab Shops & Commercial Establishment Act, 1958.
 - iii Contract Labour (Regulation & Abolition) Act, 1970.
 - iv Employees Compensation Act, 1923.
 - v Minimum Wages Act, 1948.
 - vi Payment of Wages Act, 1936.
 - vii Payment of Bonus Act, 1965.
 - viii Payment of Gratuity Act, 1972.
 - ix The Motor Transport workers Act ,1961
 - x Industrial Employment (Standing Orders) Act, 1946.
 - xi Punjab Industrial Establishment (National and Festival Holidays and Casual and Sick Leave) Act, 1965.
 - xii Punjab Labour Welfare Fund Act, 1965.
 - xiii Maternity Benefit Act, 1961.
 - xiv Child Labour (Prohibition & Regulation) Act, 1986.
 - xv The Building and Other Construction Workers' (Regulation of Employment & Conditions of Service) Act, 1996.
 - xvi The Building and Other Construction Workers' Welfare Cess Act, 1996.
8. **INSPECTION PROCEDURE:-**
 - 1 To ensure ease of doing business, the inspections of the Establishments covered under the Scheme can be carried out under the directions of Labour Commissioner-cum-Director of Factories only. Under the Scheme about 5-10 percent of the units covered under the Scheme shall be picked up randomly for inspection by the Head of Department every year.

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- 2 However, on specific complaint, only the Labour Commissioner-cum-Director of Factories may order inspection at any time. The inspection will be a joint inspection under the labour laws, hence it will normally be a onetime inspection on authorization by the Labour Commissioner.
9. **FORMS:-** A copy of this Scheme along with prescribed Application and Returns shall be available with all the Deputy Director of Factories/Assistant Director of Factories/Assistant Labour Commissioner/Labour-cum-Conciliation Officer in their offices & can be obtained from the official website pblabour.gov.in.

VIJAY KUMAR JANJUA,
Principal Secretary to Government of Punjab,
Department of Labour.